

ing court in Stephens, Callahan and Shackelford Counties, and reducing the terms of court in Stephens County from four to three weeks each; validating the return and process, orders for juries, recognizances and bail bonds and all other writs, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BUCHANAN of Scurry, Chairman.

Committee Room.

Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 321, A bill to be entitled "An Act to create a Tenth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Tenth Supreme Judicial District of Texas, and to reorganize the Second, Third and Fifth Supreme Judicial Districts, so as to conform to the provisions of this Act, to repeal all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed.

BUCHANAN of Scurry, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 21, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 407, A bill to be entitled "An Act amending Section 1, Chapter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled an Act creating the Hamlin Independent School District in Jones County, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Bee, Chairman; Buchanan of Scurry, Page, Dayton, Lattimore, Dean, Johnson, Floyd, Alderdice, Smith, Hall, Decherd.

Committee Room,

Austin, Texas, February 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 368, A bill to be entitled "An Act to amend Article 6096, Chapter 1, Title 101 of the Revised Civil Statutes of the State of Texas pertaining to petitions and authorizing the partition of any real estate, or of any interest therein, or of any mineral, coal, petroleum or gas lands, whether held in fee or by lease or otherwise, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

THIRTY-FIFTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, February 22, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Henderson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Lattimore.

Absent—Excused.

Bailey.

Decherd.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Dean.

Excused.

Senator Decherd for today on account of important business, on motion of Senator King.

Senator Bailey for today on account of sickness, on motion of Senator King.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Executive Session—Time Set.

Senator Johnston of Harris moved that the Senate go into executive session at 2:30 o'clock next Tuesday afternoon for the purpose of considering all appointments of the Governor that have not yet been acted upon by the Senate.

The motion prevailed.

Bills and Resolutions.**Simple Resolution No. 96.**

Whereas, The annual convention of the Texas Christian Missionary Convention, under the auspices of the Christian Church or Disciples of Christ will meet in Austin, Texas, May 7, 8 and 9, 1917; therefore be it

Resolved, That the Senate Chamber be tendered to said convention for the holding of its meeting.

CALDWELL.

ALDERDICE.

The resolution was read and adopted.

Simple Resolution No. 97.

Whereas, The government of the United States has again resumed friendly relations with the government of Mexico, and has designated an ambassador to said government; and,

Whereas, There are in the State of Texas a number of distinguished and worthy citizens of our sister republic, as well as a number of American citizens who have large property holdings in Mexico; therefore be it

Resolved, That we request our

State Department at Washington to instruct our ambassador in the City of Mexico to use his good offices in behalf of these unfortunate people, to the end that their property rights in Mexico may be respected and preserved by the government of Mexico. Be it further

Resolved, That a copy of this resolution be sent to the State Department at Washington and to each of our Senators and Representatives at Washington.

HARLEY.

On motion of Senator Harley, the resolution was laid on the table subject to call.

Message from the House.

Hall of the House of Representatives, Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 63, A bill to be entitled "An Act prohibiting the employment of children under fifteen years of age to labor in certain occupations, prohibiting the employment of children under seventeen years of age to labor in certain occupations, etc," with amendments.

S. B. No. 64, A bill to be entitled "An Act to amend Article 1162 of Chapter 3, Title 25, of the Revised Civil Statutes of 1911, conferring on corporations the power to borrow money, the purpose of the amendment being to permit corporations to borrow in excess of the amount of their authorized capital stock, and to declare an emergency."

S. B. No. 149, A bill to be entitled "An Act to amend Chapter 177 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature of Texas, relating to county libraries."

S. B. No. 216, A bill to be entitled "An Act to reorganize the Seventy-sixth and Seventh Judicial Districts of the State of Texas, so as to declare what counties compose the Seventy-sixth Judicial District and the Seventh Judicial District; to fix the time of holding court in the various counties of said districts; to make the process issued to be served before this Act takes effect, including recognizances and bonds return-

able to the courts as herein fixed, and continuing in office judges and district attorneys in each of said districts; to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 235, A bill to be entitled "An Act to amend Section 23, Chapter 75, General Laws of Texas, creating Duval and other counties, approved February 1, 1858; and to amend Section 1, Chapter 73, General Laws of Texas, creating Jim Hogg county, approved March 31, 1913, the purpose of this Act being to change the boundary line between Duval and Jim Hogg counties so as to conform to the result of elections duly called and held in said counties on the 6th day of January, 1917, the returns of which have been duly estimated, tabulated, certified to, sealed, endorsed and transmitted to the Speaker of the House of Representatives of the State of Texas, in the manner and form prescribed by law, whereby certain territory was detached from Duval county and attached to Jim Hogg county; to repeal all laws in conflict herewith, and declaring an emergency," with amendments.

S. B. No. 81, A bill to be entitled "An Act to amend Articles 5982 and 5988 of Title 96 of the Revised Civil Statutes of 1911, relating to navigation districts so as to provide that any navigation district, in addition to authority to levy taxes for interest and sinking fund upon bonds which may be voted, shall also be authorized to levy an additional tax not exceeding ten cents on the one hundred dollars valuation upon all property within such navigation district for the maintenance, upkeep and operation of said district and all improvements constructed by such district; and so as to provide the amount of the bond of the county treasurer as treasurer of a navigation district shall be fixed by the navigation and canal commissioners of such district at not less than twice the estimated amount of funds which will be in the hands of said treasurer at any time, except where bonds of said district are voted, in which event said treasurer shall execute an additional bond in twice the amount of such bond issue before receiving the proceeds thereof."

S. B. No. 238, A bill to be entitled "An Act to authorize cities, towns and villages, incorporated under and

by virtue of any act of the Congress of the Republic of Texas, general or special, to accept the provisions of Chapters 1 to 13, both inclusive, of Title 22, of the Revised Statutes of the State of Texas, and amendments of 1911, 1913 and 1915 thereto, upon a two-thirds vote of the city, town or village council thereof to enlarge or diminish, alter or change and redefine the bounds and limits of such cities, towns and villages so as to make them conform to the requirements of Article 777 of the Revised Statutes, and declaring an emergency."

S. B. No. 317, A bill to be entitled "An Act to authorize cities of over five thousand population to adopt or amend their charters by consolidation with an adjoining city in the same county under the name and government of the larger of said cities; authorizing the holding of joint elections by the qualified voters of said cities for the purpose of determining whether or not such consolidation shall take place; defining the term 'consolidation'; providing that in event a majority of the qualified voters voting at such election in each of said cities shall vote in favor of consolidation the result shall be certified to the Secretary of State, and recorded by him, and providing for the recording of returns of such elections by the officers of the respective cities, etc., and declaring an emergency."

S. B. No. 325, A bill to be entitled "An Act to amend Chapter 19, Section 1, of the General Laws of the State of Texas, passed at the First Called Session of the Thirty-fourth Legislature of the State of Texas, changing the time of holding the terms of the district court in the Twenty-third Judicial District of Texas, and declaring an emergency."

S. B. No. 330, A bill to be entitled "An Act to create a criminal district court for the counties of Nueces, Kleberg, Willacy and Cameron, and to prescribe the jurisdiction thereof as a criminal court; and also conferring upon said court the power to try and determine divorce suits, to fix time for holding the terms thereof, and declaring an emergency," with amendments.

S. B. No. 355, A bill to be entitled "An Act declaring that all bonds issued under and by virtue of the Federal Farm Loan Act, approved by the President of the United States

July 17, 1916, shall be lawful investment for all fiduciary and trust funds and may be accepted as security for all public deposits where deposits of bonds or mortgages are authorized by law to be accepted; declaring such bonds lawful investment for all funds which may be lawfully invested by guardians, administrators, trustees and receivers, for saving deposits of State banks, for banks, saving banks and trust companies, chartered under the laws of Texas, for all insurance companies chartered or transacting business under the laws of Texas where investments are required or permitted, and providing that where such bonds are secured by notes or other obligations the payment of which is secured by mortgage, deed of trust or other valid lien upon real estate situated in this State, then that such bond or bonds shall be regarded for investment purposes by insurance companies as Texas securities, and declaring an emergency."

Concurs in Senate amendments to House Bill No. 7.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Senate Concurrent Resolution No. 18.

Whereas, Our country is witnessing the most turbulent times ever known in the history of the world, a time when wisdom and patriotism on the part of every citizen are needed for both the immediate and future welfare of our beloved country, to guide us in all our words and actions; and,

Whereas, We learn from reliable sources that a distinguished citizen of our State, former United States Senator Joseph W. Bailey, whose eminent services to his State and country have challenged the admiration of all and shown him to be one of the truly wise and great men of his time, a man who has the brain to grasp and the courage to proclaim the truths that underlie and uphold this free republic, is to visit Fort Worth in the near future as the guest of that city; and,

Whereas, This distinguished statesman, though having voluntarily retired from public office, still enjoys the confidence of his fellow citizens, and his voice is still potent in lead-

ing the people in safe paths; therefore be it

Resolved, That the Senate and House of Representatives extend to him an urgent invitation to visit Austin at an early day and address the Legislature and the public on whatever subject may appear to him to be most important at this time to the welfare of our State and nation.

Resolved, That a committee of six be appointed, three by the Lieutenant Governor on the part of the Senate and three by the Speaker of the House on the part of that body, to convey to our distinguished fellow citizen the invitation herein and hereby extended him with the earnest hope that he will see fit to accept same.

Clark, McNealus, Johnston of Harris, Hudspeth, Woodward, Caldwell, Gibson, Page, Decherd, Smith, Dayton, Hall, Alderdice, King, Parr, Buchanan of Bell, Harley, McCollum, Bee.

The resolution was read and adopted.

Senate Concurrent Resolution No. 19.

Whereas, That great and true democrat, William Jennings Bryan, who for the past quarter of a century has been fighting the battles of democracy in the interest of the plain people of this country, and

Whereas, this great democrat has thrice led the democratic party in its fight to rescue the people from the tyranny of republican misrule and has come out of each campaign stronger in the confidence of the masses, and

Whereas, He was the greatest factor in placing in the White House one of the greatest Presidents since the days of Lincoln, and

Whereas, During the re-election of President Wilson it was through his campaigns in the West that this section of the country was largely influenced in its electoral vote, and

Whereas, This unimpeachable democrat stands at the forefront in trying to preserve the peace of the world, and is recognized today as a leading factor in shaping the governmental policies of our States and Nation, be it

Resolved, That this distinguished American citizen be invited to ad-

dress a joint session of the Thirty-fifth Legislature.

Floyd, McNealus, Buchanan of Bell, Alderdice, Strickland, Buchanan of Scurry, Johnson.

The resolution was read and Senator King offered the following amendment:

(1) Amend the resolution by adding just before the word resolved the following: Whereas he believes in local instruction as shown by the following:

Extract from speech of Wm. Jennings Bryan in House of Representatives, State of Texas, March 29, 1907.

Theories of representative government:

I desire to speak to you tonight about some of the things in which legislative bodies must take an interest, and as this body is composed not only of legislators but of citizens, I think I will be pardoned if I mix in a little democratic doctrine with some discussion of the fundamental principles of government.

Let me invite your attention first to the subject of representative government. Your Legislature is a representative body; those who have commissions, each speak not for themselves but for constituencies, and there are two theories in regard to the duties of representatives. There have always been those two theories in this country, and where representative governments are found, adherents will be found to these theories. One theory is that the representative is elected by his constituents to think for his constituents; the other theory is that the people think for themselves and elect their representatives to carry out their thoughts and to crystallize public opinion into law. I accept the latter theory.

The first is a dangerous theory and any representative who conceives it to be his duty to think for his constituents and not to carry out their thoughts becomes not their servant but their master; he thinks not for them, but for himself, and he ceases to be their real representative. So strongly do I believe in this theory that the representative is but the spokesman of those who elected him, that I believe it to be his duty to resign if he cannot conscientiously carry out the will of his people.

KING.

On a point of order the Chair held the amendment not germane to the resolution.

Senator Floyd moved the adoption of the resolution.

As a substitute Senator Hudspeth moved to table the resolution, which motion to table was lost by the following vote:

Yeas—8.

Caldwell.	Hudspeth.
Clark.	Johnston of Harris.
Hall.	Parr.
Harley.	Smith.

Nays—16.

Alderdice.	Johnson of Hall.
Bee.	King.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Robbins.
Dayton.	Strickland.
Floyd.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Present—Not Voting.

Gibson.	Page.
McCollum.	

Absent.

Dean.	Lattimore.
-------	------------

Absent—Excused.

Bailey.	Decherd.
---------	----------

Senator Gibson moved as a substitute for the motion to adopt the resolution that the same be laid on the table until after the morning call tomorrow.

Senator Caldwell moved the previous question on the pending motion to adopt and the substitute.

The previous question being duly seconded the main question was ordered.

Action recurring upon the substitute motion of Senator Gibson to postpone the resolution, the same was lost by the following vote:

Yeas—12.

Caldwell.	Hudspeth.
Clark.	Johnston of Harris.
Dayton.	McCollum.
Gibson.	Page.
Hall.	Parr.
Harley.	Smith.

Nays—16.

Alderdice.	Johnson of Hall.
Bee.	King.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Robbins.
Dean.	Strickland.
Floyd.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Lattimore.

Absent—Excused.

Bailey.	Decherd.
---------	----------

The resolution was then adopted by the following vote:

Yeas—18.

Alderdice.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	McNealus.
Dean.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

Nays—9.

Caldwell.	Johnston of Harris.
Clark.	McCollum.
Dayton.	Parr.
Hall.	Smith.
Hudspeth.	

Present—Not Voting.

Page.

Absent.

Lattimore.

Absent—Excused.

Bailey.	Decherd.
---------	----------

Reasons for Vote.

We vote "yea" on the resolutions inviting Senator Bailey and Mr. Bryan to address the Legislature because they are great Americans, and we do this without reference to the merited tributes contained in the resolutions.

BEE.
KING.

House Bill No. 393.

The Chair laid before the Senate on third reading:

H. B. No. 393, A bill to be entitled

"An Act to amend Section 42 of Article 30, Title 5, of the Revised Civil Statutes of Texas, so as to provide for the holding of four terms of district court in Taylor and Eastland Counties, changing the time of holding court in Stephens, Callahan and Shackelford Counties, and reducing the terms of court in Stephens County from four to three weeks.

The bill was laid before the Senate, read third time and passed finally.

House Bill No. 299.

The Chair laid before the Senate on third reading:

H. B. No. 299, A bill to be entitled "An Act creating the Sinton Independent School District known as Common School District No. 1, in San Patricio County, Texas, and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

Absent.

Lattimore.	McNealus.
McCollum.	

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 271.

The Chair laid before the Senate on third reading:

H. B. No. 271, A bill to be entitled "An Act creating a more efficient road system for Hopkins County, etc., and declaring an emergency."

The bill was laid before the Senate read third time and passed finally.

House Bill No. 414.

The Chair laid before the Senate, on third reading,

H. B. No. 414, A bill to be entitled "An Act creating the Crockett Independent School District in Houston county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; etc., and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

Absent.

Lattimore.	McNealus.
McCollum.	

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 49.

The Chair laid before the Senate, on third reading,

H. B. No. 49, A bill to be entitled "An Act to amend Section 6 of Chapter 41 of the Special Laws of the Regular Session of the Twenty-seventh Legislature, entitled 'An Act to create a more efficient road system for Coryell county, Texas, etc.,' as the same was amended by an Act of the Thirtieth Legislature, known as House Bill No. 339, and as the same was amended by Chapter 62 of the Regular Session of the Thirty-fourth Legislature; providing that any citizen of Coryell county liable to road duty who shall pay to the county treasurer the sum of three dollars by the second Tuesday in February of each year shall be exempt from road duty for such year, and providing that any person liable to road duty

who fails to pay such tax shall be required to pay the sum of one dollar for every day he fails to appear and work on the road, and declaring an emergency."

The bill was laid before the Senate, read third time and passed finally.

House Bill No. 509.

The Chair laid before the Senate, on third reading,

H. B. No. 509, A bill to be entitled "An Act creating the Blanket Independent School District in Brown and Comanche counties, Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—24.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Henderson.	Woodward.

Absent.

Harley.	Lattimore.
Hopkins.	McCollum.
King.	

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 440.

The Chair laid before the Senate, on third reading,

H. B. No. 440, A bill to be entitled "An Act to amend Section 1 of Chapter 11 of the Special Laws of Texas, passed by the First Called Session of the Thirty-fourth Legislature, approved June 4, 1915, being 'An Act incorporating and creating the Fulbright Independent School District in Red River county, Texas, for free school purposes only,' etc., and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Sulter.
Henderson.	Woodward.
Hopkins.	

Absent.

Harley.	McCollum.
Lattimore.	Westbrook.

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 487.

The Chair laid before the Senate, on third reading,

H. B. No. 487, A bill to be entitled "An Act to create a more efficient road system for Gillespie County, Texas, and making the commissioners of said county ex officio road commissioners in their respective precincts, and prescribing their duties as such, and providing for the compensation of road commissioners, etc., and declaring an emergency."

The bill was laid before the Senate, read the third time and passed by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Sulter.
Harley.	Woodward.
Henderson.	

Absent.

Lattimore.	Strickland.
McCollum.	Westbrook.

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 554.

The Chair laid before the Senate on third reading:

H. B. No. 554, A bill to be entitled "An Act to create the Chappell Independent School District in Madison County, Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Sulter.
Henderson.	Woodward.
Hopkins.	

Absent.

Dean.	McCollum.
Lattimore.	Westbrook.

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 539.

The Chair laid before the Senate on third reading:

H. B. No. 539, A bill to be entitled "An Act creating and incorporating the Lipscomb Independent School District in Lipscomb County, Texas; defining its boundaries; investing said district with all the rights, privileges and duties of an independent school district created under the laws of the State of Texas for free school purposes; providing for a board of trustees and for the trustees of Common School District No. 1 to manage and control the affairs of the independent school district until the election of trustees as prescribed by general statute; providing for the appointment by the board of trustees of the board of equalization, and prescribing its duties and time of meeting; providing that said independent school district shall be a body politic and corporate, giving it a right to sue and to be sued, and

requiring that it assume all outstanding debts, including bonded indebtedness against Common School District No. 1, and requiring trustees to make proper levy for school year 1916-17 to meet outstanding obligations of Common School District No. 1, and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Woodward.
Henderson.	

Absent.

Lattimore.	Strickland.
McCollum.	Westbrook.

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 289.

The Chair laid before the Senate on third reading:

H. B. No. 289, A bill to be entitled "An Act providing for the return of pension warrants where the pensioner dies during the quarter for which the warrant was issued, the cancellation of the same, and the issuance of a mortuary warrant to pay the funeral expenses of the deceased pensioner, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Floyd.
Bee.	Gibson.
Buchanan of Bell.	Harley.
Buchanan of Scurry.	Henderson.
Caldwell.	Hopkins.
Clark.	Hudspeth.
Dayton.	Johnson of Hall.
Dean.	Johnston of Harris.

King.	Smith.
McNealus.	Strickland.
Page.	Suiter.
Parr.	Woodward.
Robbins.	

Absent.

Hall.	McCollum.
Lattimore.	Westbrook.

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 550.

The Chair laid before the Senate on third reading:

H. B. No. 550, A bill to be entitled "An Act to create a more efficient road system for Caldwell County; providing for the employment of a county road superintendent, etc., and declaring an emergency."

On motion of Senator Harley, the bill was laid on the table subject to call.

House Bill No. 259.

The Chair laid before the Senate on third reading:

H. B. No. 259, A bill to be entitled "An Act to create a more efficient road system for McCulloch County, Texas; defining the powers and duties of the commissioners court of said county in adopting such system, and providing for the condemnation of lands for opening, changing, widening, ditching, making embankments or fills or draining water away from the public roads in said county; providing that the commissioners of said county be ex officio road commissioners, defining their powers and duties and providing for their compensation; providing that road hands may be assigned to such roads as may be deemed best by the road commissioners of the precinct or the commissioners court of said county; providing for road overseers to call out hands on twenty-four hours' notice, and providing for penalty for failure to call out hands when notified to do so; for the payment of overseers working overtime; for the release of road hands by the payment of money; creating a penal offense for the obstruction of ditches or drainways and diverting surface water or streams into public roads

of said county, and providing a penalty; making this law cumulative of the General Laws, and declaring an emergency."

The bill was laid before the Senate, read third time and passed finally.

House Bill No. 563.

The Chair laid before the Senate on third reading:

H. B. No. 563, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Real County; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

The bill was laid before the Senate, read the third time and passed by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Woodward.

Absent.

Lattimore.	Westbrook.
McCollum.	

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 516.

The Chair laid before the Senate on third reading:

H. B. No. 516, A bill to be entitled "An Act to define the duties of county commissioners of San Patricio County, Texas, relating to the appointment and supervision of road overseers in defined road districts, and fixing the compensation of the commissioners of San Patricio County, Texas, when acting as ex officio road commissioners, and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Woodward.

Absent.

Lattimore.	Westbrook.
McCollum.	

Absent—Excused.

Bailey.	Decherd.
---------	----------

House Bill No. 512.

The Chair laid before the Senate on third reading:

H. B. No. 512, A bill to be entitled "An Act to create the office of county road supervisor for Mills County, and prescribing the method for his appointment, duties and salary, and declaring an emergency."

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—26.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Woodward.

Absent.

Lattimore.	Westbrook.
McCollum.	

Absent—Excused.

Bailey.	Decherd.
---------	----------

Recess.

At 12:40 o'clock, on motion of Senator Hudspeth, the Senate recessed until 2:30 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Henderson.

Messages From the House.

Hall of the House of Representatives.
Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 536, A bill to be entitled "An Act creating a new road law for Travis County."

H. B. No. 610, A bill to be entitled "An Act to amend Section 3 of House Bill No. 647, Chapter 136, of the special law passed at the Regular Session of the Thirty-third Legislature relating to Tarrant County road system; providing for the raising of salaries of county commissioners of said county from \$2000 to \$2400 per annum, and making it the duty of said commissioners to furnish their own conveyance while performing the duties of road commissioner and defray the expense of upkeep of same."

H. B. No. 31, A bill to be entitled "An Act creating the county court of El Paso County for civil cases, to fix and prescribe the jurisdiction thereof, and to conform to such change in the jurisdiction of the county court of El Paso County, fixing the salaries of the judges of the county court of El Paso County, and of the county court of El Paso County for civil cases; providing for the appointment and election of the judges of said court hereby created; providing for the appointment of special judges and filling of vacancies in said office, and declaring an emergency."

H. B. No. 593, A bill to be entitled "An Act amending Chapter 74 (Senate Bill No. 349) Acts of the Thirty-third Legislature, correcting field notes so as to make same identical with field notes of Common School District No. 5 of San Patricio County,

Texas, as created by the commissioners court of said county May 13, 1902, and recorded in Volume 2, page 439, of the minutes of said court; and validating bonds issued by Common School District No. 5 of San Patricio County, Texas, and declaring same a legal and binding obligation outstanding against Mathis Independent School District as hereinafter defined and described by metes and bounds, and declaring valid a maintenance tax heretofore levied, and declaring an emergency."

H. B. No. 564, A bill to be entitled "An Act creating and incorporating the Ralls Independent School District in Crosby County, Texas, etc., and declaring an emergency."

H. B. No. 609, A bill to be entitled "An Act creating an independent school district to be known as the Woden Independent School District in Nacogdoches County, Texas, etc., and declaring an emergency."

H. B. No. 619, A bill to be entitled "An Act to prevent the selling of bass and white perch, or crappie, taken from the fresh waters in the county of Coryell, State of Texas; making it unlawful to use any dynamite or other explosives in the killing or catching of any fish in any of the fresh waters of said county, and providing a penalty for the violation thereof; prohibiting the use of any seine, drag net, trammel net or other net other than a minnow seine, which shall not be more than ten feet in length and the meshes of which shall not be smaller than one-fourth inch; limiting the number of fish to be taken in any one day; providing that the district judge of the judicial district in which Coryell County is situated shall give a special charge upon this law to the grand juries of Coryell County; providing a penalty for the violation hereof, and declaring an emergency."

H. B. No. 645, A bill to be entitled "An Act creating and incorporating the Florence Independent School District in Williamson County, Texas, including the present Florence Independent School District, etc., and declaring an emergency."

H. B. No. 655, A bill to be entitled "An Act to amend Article 923 of the Penal Code of this State as enacted by Chapter 135 of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, so as to exempt therefrom the counties

of Hood and Somervell as to the waters of the Brazos River, and as to the waters of Paluxy Creek from the first day of July to the first day of January of each year, and providing that gigging and grabbing is and shall be prohibited in both streams at all times, and declaring an emergency."

H. B. No. 606, A bill to be entitled "An Act creating and incorporating the Wilmer Independent School District in Dallas County, Texas, etc., and declaring an emergency."

H. B. No. 622, A bill to be entitled "An Act creating and incorporating the Lyford Independent School District in Cameron County, Texas, including the town of Lyford; defining its boundaries, etc., and declaring an emergency."

H. B. No. 620, A bill to be entitled "An Act creating the Tilden Independent School District in McMullen County, Texas, and defining its boundaries, etc., and declaring an emergency."

H. B. No. 603, A bill to be entitled "An Act creating and incorporating the Post Independent School District in Garza County, Texas, and declaring an emergency."

H. B. No. 608, A bill to be entitled "An Act creating the Chireno Independent School District in Nacogdoches County, Texas, etc., and declaring an emergency."

H. B. No. 621, A bill to be entitled "An Act to amend Section 2 of Chapter 69, Acts of the Thirty-third Legislature, Regular Session so as to enlarge the territory of the Hutchins Independent School District in Dallas County, Texas; and prescribing the metes and bounds thereof, and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act to amend Section 2, Chapter 30 of the Special Laws of the Thirty-first Legislature, as amended by Special Laws of the Thirty-second Legislature, being 'An Act to create a road commission for Jones, Haskell and Taylor Counties.'"

H. B. No. 612, A bill to be entitled "An Act to create a more efficient road, bridge and culvert system for Houston County; to create the office of road superintendent, etc., and providing for an emergency."

H. B. No. 573, A bill to be entitled "An Act creating a more efficient road system for Dickens County, Texas, and making county commis-

sioners ex officio road commissioners of their respective precincts, and prescribing their powers and duties as such, etc., and declaring an emergency."

H. B. No. 624, A bill to be entitled "An Act creating the Abernathy Independent School District situated in Hale and Lubbock Counties, etc., and declaring an emergency."

H. B. No. 673, A bill to be entitled "An Act creating the Skidmore Independent School District, known as Common School District No. 1 in Bee County, Texas, etc., and declaring an emergency."

H. B. No. 667, A bill to be entitled "An Act incorporating and creating the Paducah Independent School District in Cottle County, Texas, etc., and declaring an emergency."

H. B. No. 640, A bill to be entitled "An Act to create the Wheeler Independent School District of Wheeler County, Texas, and declaring an emergency."

H. B. No. 653, A bill to be entitled "An Act to create a special road law for Cherokee County, and providing for levying and collecting a road tax, authorizing the commissioners court of said county to employ road superintendents and laborers on the public roads thereof, etc., and declaring an emergency."

H. B. No. 670, A bill to be entitled "An Act incorporating and creating the Knippa Independent School District of Uvalde County, Texas, etc., and declaring an emergency."

H. B. No. 549, A bill to be entitled "An Act to prevent unnecessary cruelty in catching or killing of wild animals and to prevent live stock and other domestic animals from injury, and to prevent the extermination of wild animals usually hunted for sport, and to forbid the setting of any trap, snare or device for taking, snaring, trapping or catching of same, and to prevent the taking, catching, killing or trapping of such animals, and to provide a punishment for so doing."

H. B. No. 522, A bill to be entitled "An Act to validate the incorporation of the city of Texas City and to declare valid all acts pertaining to the incorporation of said city, and to declare valid and binding each and every of the official acts of the mayor and city commissioners sitting as a board of commissioners, since

the incorporation of said city of Teaxs City."

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 360, A bill to be entitled "An Act to amend the charter of the City of Longview, entitled 'An Act to incorporate the City of Longview and to grant it a new charter; to define its powers and to prescribe its duties and liabilities, and to declare an emergency,' as passed by the First Called Session of the Thirty-second Legislature of Texas, by amending Sections 8, 9 and 72 of the charter of the City of Longview by adding thereto Section 9a, providing for the appointment of a city treasurer, fixing his salary and prescribing his powers and duties and fixing his term of office, and declaring an emergency."

H. B. No. 551, A bill to be entitled "An Act to amend Chapter 3, Title 124, of the Revised Civil Statutes of 1911, so as to take the counties of Wharton, Fort Bend, Matagorda and Brazoria from the counties exempted by Article 7184 of said Act, and place said counties under the provisions of said Title 124, Chapter 3," with engrossed rider.

H. B. No. 443, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, of the Revised Statutes of Texas, of 1911, and to amend Chapter 72 House Bill No. 827, General Laws of the Thirty-third Legislature, page 131, and to amend Chapter 99, House Bill No. 418, General Laws of the Thirty-fourth Legislature, page 152, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include El Paso County, and declaring an emergency," with engrossed rider.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to pass

S. B. No. 54, A bill to be entitled "An Act to create the Eighty-first Judicial District in the State of Texas, said district to be composed of the counties of Hall, Donley, Armstrong and Carson; to fix the jurisdiction of said district court in said district and the terms of court in said several counties in said district, and providing for a judge thereof and a district attorney; reorganizing the Thirty-first, Forty-sixth and Forty-seventh Judicial Districts of Texas; fixing a time of holding court in the Thirty-first, Forty-sixth and Forty-seventh Judicial Districts; to provide that all cases now on the dockets of counties of the district courts of Hall, Donley, Armstrong and Carson Counties be transferred to the dockets of the Eighty-first Judicial District created by this Act; to provide that the district clerks and sheriffs elected in the counties of Hall, Donley, Armstrong and Carson, and their successors in office, be alike the officers of each of said district courts of said county; providing for the return of all process and validation of the same issued or to be issued by the courts of the Thirty-first, Forty-sixth and Forty-seventh Districts in the Counties of Hall, Armstrong and Carson be returnable to district court of the Eighty-first Judicial District; to provide for the appointment of the judge of said Eighty-first Judicial District, and for the appointment of the district attorney for said Eighty-first Judicial District, and fixing their compensation, and declaring an emergency;" copy of bill herewith transmitted.

Adopted Senate Concurrent Resolution No. 17, inviting Hon. Joseph W. Bailey to address the Thirty-fifth Legislature.

Concurs in Senate amendments to House Bill No. 32 by following vote: Yeas, 117; nays, 9.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (President Pro Tem. Henderson), had referred, after their captions had been read, the following House bills:

H. B. No. 536, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 610, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 31, referred to the Committee on Civil Jurisprudence.

H. B. No. 593, referred to the Committee on Educational Affairs.

H. B. No. 564, referred to the Committee on Educational Affairs.

H. B. No. 609, referred to the Committee on Educational Affairs.

H. B. No. 619, referred to the Committee on Criminal Jurisprudence.

H. B. No. 645, referred to the Committee on Educational Affairs.

H. B. No. 655, referred to the Committee on Criminal Jurisprudence.

H. B. No. 606, referred to the Committee on Educational Affairs.

H. B. No. 622, referred to Committee on Educational Affairs.

H. B. No. 620, referred to Committee on Educational Affairs.

H. B. No. 603, referred to Committee on Educational Affairs.

H. B. No. 608, referred to Committee on Educational Affairs.

H. B. No. 621, referred to Committee on Educational Affairs.

H. B. No. 542, referred to Committee on Roads, Bridges and Ferries.

H. B. No. 612, referred to Committee on Roads, Bridges and Ferries.

H. B. No. 573, referred to Committee on Roads, Bridges and Ferries.

H. B. No. 624, referred to Committee on Educational Affairs.

H. B. No. 673, referred to Committee on Educational Affairs.

H. B. No. 667, referred to Committee on Educational Affairs.

H. B. No. 640, referred to Committee on Educational Affairs.

H. B. No. 653, referred to Committee on Roads, Bridges and Ferries.

H. B. No. 670, referred to Committee on Educational Affairs.

H. B. No. 549, referred to Committee on Criminal Jurisprudence.

H. B. No. 522, referred to Committee on Towns and City Corporations.

H. B. No. 443, referred to Committee on Stock and Stock Raising.

H. B. No. 551, referred to Committee on Stock and Stock Raising.

Bills Signed.

The Chair, President Pro Tem. Henderson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. J. R. No. 12, proposing to amend Article 16 of the Constitution of the State of Texas by adding thereto at the end thereof another section to be known as Section 59, declaring the conservation and preservation of all the natural resources of the State of Texas are public rights and duties; providing for the creation of conservation districts, declaring such districts bodies politic and corporate, defining the authority of such districts and conferring upon the Legislature authority to pass laws with reference thereto; declaring that the Legislature shall have authority generally to legislate for the purpose of conserving the natural resources of the State; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof and the method thereof; directing the issuance of the proclamation therefor, prescribing certain duties of the Governor of the State and making an appropriation to defray the expenses of said election.

S. B. No. 349, A bill to be entitled "An Act to reorganize the Eighteenth Judicial District of the State of Texas, and to reorganize the Twenty-ninth Judicial District of the State of Texas, and to provide that Somervell County shall be taken from the Twenty-ninth Judicial District and transferred to the Eighteenth Judicial District of the State of Texas; and to prescribe the time for the holding of the courts in said districts, and to make all process issued or served before this Act takes effect, including recognizances and bonds returnable to the terms of court in the several counties and districts as herein fixed, to validate such process, recognizances and

bonds, and to validate the summoning of grand and petit jurors, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act to amend Article 1162 of Chapter 3, Title 25, of the Revised Civil Statutes of 1911 conferring upon corporations the power to borrow money, the purpose of the amendment being to permit corporations to borrow in excess of the amount of their authorized capital stock, and to declare an emergency."

S. B. No. 216, A bill to be entitled "An Act to reorganize the Seventy-sixth and Seventh Judicial Districts of the State of Texas, so as to declare what counties compose the Seventy-sixth Judicial District, and the Seventh Judicial District; to fix the time of holding court in the various counties of said districts; to make the process issued to be served before this Act takes effect, including recognizances and bonds, returnable to the courts as herein fixed, and continuing in office judges and district attorneys in each of said districts; to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 81, A bill to be entitled "An Act to amend Articles 5982 and 5988 of Title 96 of the Revised Civil Statutes of 1911, relating to navigation districts so as to provide that any navigation district, in addition to authority to levy taxes for interest and sinking fund upon bonds which may be voted, shall also be authorized to levy an additional tax not exceeding ten cents on the one hundred dollar valuation upon all property within such navigation district for the maintenance, upkeep and operation of said district and all improvements constructed by such district; and so as to provide the amount of the bond of the county treasurer as treasurer of a navigation district shall be fixed by the navigation and canal commissioners of such district at not less than twice the estimated amount of funds which will be in the hands of said treasurer at any time, except where bonds of said district are voted, in which event said treasurer shall execute an additional bond in twice the amount of such bond issue before receiving the proceeds thereof."

S. B. No. 317, A bill to be entitled

"An Act to authorize cities of over five thousand population to adopt or amend their charters by consolidation with an adjoining city in the same county under the name and government of the larger of said cities; authorizing the holding of joint elections by the qualified voters of said cities for the purpose of determining whether or not such consolidation shall take place; defining the term "consolidation"; providing that in event a majority of the qualified voters voting at such election in each of said cities shall vote in favor of consolidation the result shall be certified to the Secretary of State, and recorded by him, and providing for the recording of returns of such elections by the officers of the respective cities; providing that all property and assets of such cities shall become the property of the consolidated city, which shall assume all outstanding liabilities against the territory consolidated; providing that the officials of the larger of said cities shall be the officials of the consolidated city, and that the offices heretofore existing in the smaller cities be abolished by consolidation; providing that if such cities have on hand any bond funds voted for public improvements such money shall be used for the purposes and in the territory for and by which voted, and declaring an emergency."

S. B. No. 325, A bill to be entitled "An Act to amend Chapter 19, Section 1, of the General Laws of the State of Texas, passed at the first called session of the Thirty-fourth Legislature of the State of Texas, changing the time of holding the terms of the district court in the Twenty-third Judicial District of Texas, and declaring an emergency."

House Joint Resolution No. 2.

The Chair laid before the Senate as pending business on second reading:

H. J. R. No. 2, "House Joint Resolution to amend Section 10, Article 1, of the Constitution of the State of Texas, providing for certain rights of accused persons in criminal prosecutions and the manner in which the case may be prosecuted, and providing for the procuring of the testimony of the witnesses for both defense and prosecution."

The question being upon the adop-

tion of the pending amendment of Senator Lattimore, the same was withdrawn.

Action recurred upon House Joint Resolution No. 2, and the same was passed to its third reading.

Simple Resolution No. 99.

(By unanimous consent.)

Whereas, The handsome and eloquent Henry Grady Edwards of Troup, Texas, the honored and efficient president of the Texas Press Association, is now in the gallery of the Senate; therefore, be it

Resolved, That he be invited to a seat in the Senate Chamber, and to address the Senate.

Suiter, Smith, Strickland, Robbins.

The resolution was read and adopted.

Mr. Edwards addressed the Senate briefly.

Bills Printed in the Journal.

The following bills were ordered by the Senate printed in today's Journal:

Senate Bill No. 402, Senate Bill No. 404, Senate Bill No. 392, Senate Bill No. 399, Senate Bill No. 50, Senate Bill No. 358, Senate Bill No. 340 and Senate Bill No. 191.

The bills will be found in the order above in the Appendix of today's Journal.

Senate Bill No. 303—House Amendments Concurred in.

Senator Dayton called up:

S. B. No. 303, A bill to be entitled "An Act amending Section 15, Chapter 4, of the Local and Special Laws of the First Called Session of the Thirty-first Legislature," etc.

The Chair laid before the Senate the following House amendments:

Amend Senate Bill No. 303 by striking out the words, "the collector shall receive \$1100" and insert instead "the collector shall receive \$400."

Amend Senate Bill No. 303 by striking out the remainder of Section 1 after the word "whatsoever"

in the third line from last of said Section 1.

On motion of Senator Dayton, the Senate concurred in the foregoing amendments by the following vote:

Yeas—23.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Robbins.
Dayton.	Smith.
Dean.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Hall.	Woodward.
Harley.	

Absent.

Hudspeth.	Lattimore.
Johnston of Harris.	McCollum.
King.	Parr.

Absent—Excused.

Bailey.	Decherd.
---------	----------

Senate Bill No. 136—Set as Special Order.

On motion of Senator Hall, Senate Bill No. 136 was set as a special order for next Tuesday at the conclusion of the morning call.

Messages From the House.

Hall of the House of Representatives.
Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 225, A bill to be entitled "An Act creating the Georgetown Independent School District in the County of Williamson, State of Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district, and declaring an emergency," with amendments.

S. B. No. 284, A bill to be entitled "An Act creating the Barnhart Independent School District, in Irion County, Texas, and defining its boundaries, and providing for the

election of a board of trustees to manage and control a public free school within said district; naming the fiscal year as to taxes, investing said district with all powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency.

S. B. No. 290, A bill to be entitled "An Act to amend Section 2 of an Act creating the Jourdanton Independent School District in Atascosa County, Texas, being Chapter 79 of the Thirty-second Legislature of Texas, increasing the territory of said district. To amend Section 8 of said Act providing for the appointment of an assessor and collector for said district. To amend Section 23 of said Act, providing for the appointment of a board of equalization, and prescribing its powers and duties. To amend Section 24 of said Act regulating the time of payment of taxes, and declaring an emergency."

S. B. No. 303, A bill to be entitled "An Act amending Section 15, Chapter 4 of the Local and Special Laws of the First Called Session of the Thirty-first Legislature," etc, with amendments.

S. B. No. 308, A bill to be entitled "An Act creating and incorporating the Post Independent School District in Garza County, Texas, and declaring an emergency."

S. B. No. 322, A bill to be entitled "An Act creating the Tilden Independent School District in McMullen County, Texas, and defining the boundaries; and to provide for the creating of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for the maintenance and support of said schools; providing for a board of equalization and prescribing the duty and authority of said board repealing all laws in conflict with

this Act, and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 525, A bill to be entitled "An Act enlarging the area of Nixon Independent School District in Gonzales and Wilson Counties, etc., and declaring an emergency," with engrossed rider.

H. B. No. 639, A bill to be entitled "An Act to permit the paying of the members of the commissioners' courts in Wheeler County, Texas, \$4.00 per day for services."

H. B. No. 690, A bill to be entitled "An Act to create the Liberty Hill Independent School District in Williamson County, Texas, including the present Liberty Hill district of said county, etc., and declaring an emergency."

H. B. No. 693, A bill to be entitled "An Act to amend Articles 4, 5, 6, 7, 8, 9, 10 and 11 of an Act to provide a special road law for Denton County, Texas, etc., and declaring an emergency."

S. C. R. No. 19, inviting Hon. Williams Jennings Bryan to address the Thirty-fifth Legislature.

H. B. No. 700, A bill to be entitled "An Act creating the Docum and Miller Common County Line School District, containing territory in Erath and Comanche Counties, Texas, including the territory of the school districts known as Miller and Docum Common School Districts of Comanche and Erath Counties, respectively; placing said common county line school district under the jurisdiction of Comanche County, to be known as Common School District No. 110 of said county; a board of trustees therefor; vesting said district and board of trustees with all the rights, powers, privileges and duties conferred and imposed on common school districts and boards of trustees thereof, etc., and declaring an emergency."

H. B. No. 705, A bill to be entitled "An Act adding territory to the present Trent Independent School Dis-

trict of Taylor County; defining its boundaries, and declaring an emergency."

H. B. No. 718, A bill to be entitled "An Act to create a more efficient road system for Newton County, Texas, and creating the office of superintendent of public road and bridges in said county, and providing for the appointment and discharge of superintendent, and prescribing his powers and duties, etc., and declaring an emergency."

Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after their captions had been read, the following House bills:

H. B. No. 525, referred to the Committee on Educational Affairs.

H. B. No. 700, referred to the Committee on Educational Affairs.

H. B. No. 705, referred to the Committee on Educational Affairs.

H. B. No. 693, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 690, referred to the Committee on Educational Affairs.

H. B. No. 718, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 639, referred to the Committee on County and County Boundaries.

Bills and Resolutions.

(By unanimous consent.)

By Senator Johnson:

S. B. No. 415, A bill to be entitled "An Act to fix the time of holding the courts in the Sixty-fourth Judicial District of Texas, to validate all process, bonds and recognizances heretofore taken in the courts of said district and all judgments therein rendered, repealing all laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

Special Committee Appointed.

The Chair appointed as a special committee pursuant to S. C. R. No. 18 to convey to Hon. Jos. W. Bailey the invitation to address the Legislature, Senators Clark, Hudspeth and Smith.

House Bill No. 2.

Senator Caldwell called up from the table and the Chair laid before the Senate:

H. B. No. 2, A bill to be entitled "An Act to establish a State Highway Department, creating a State Highway Commission and the office of State Highway Engineer; prescribing the duties of the members of the Commission and of the Engineer, and fixing the compensation of each; prescribing reciprocal duties for the Commission and for the commissioners courts; directing the Commission to plan and adopt a comprehensive system of State highways and to promote the construction thereof by co-operation with the counties and by the Commission; authorizing a policy of State aid to counties in road construction, and to the inauguration of a plan of rewards to the counties for the construction of the more durable types of highways; directing co-operation of the department with the Federal government in the utilization of any funds appropriated by Congress in aid of road construction in this State; authorizing the working of State prisoners on State highways under conditions that may be agreed upon by the Highway Commission and the Prison Commission and approved by the Governor; providing for the support of the department by State registration of all motor vehicles and motorcycles, and for the distribution to the counties of a part of the moneys received from such registration fees; providing for the furnishing of identification numbers to motor vehicles and motorcycles and prescribing penalties for the violation of the provision for registration and identification of such vehicle; making an appropriation to inaugurate the work of the department as provided in this Act, and declaring an emergency."

The question being on the passage of the bill to its third reading.

On motion of Senator Caldwell the bill was read and considered section by section.

Senator Dean offered the following amendment:

(1) Amend the bill. Section 2, by striking out the words beginning with the word "the" in line 28, page 2, down to and including the word "Commission" in line 32, page 2, and insert in lieu thereof the following:

"The Board of State Highway Commissioners, hereinbefore referred to as the State Highway Commission, shall consist of five members, citizens of the State of Texas, three of whom shall be appointed by the Governor by and with the consent of the Senate. A professor in Civil Engineering Department of the Agricultural and Mechanical College of Texas to be designated by the board of directors of said College, and a professor in the Civil Engineering Department of the University of Texas, to be designated by the Board of Regents of said University, shall be members ex officio. The three members of the State Highway Commission to be appointed by the Governor, shall be selected within sixty days after this Act becomes effective."

Senator Hudspeth moved to table the amendment, which motion to table was lost by the following vote:

Yeas—7.

Bee.	Hudspeth.
Buchanan of Scurry.	McCollum.
Caldwell.	Parr.
Gibson.	

Nays—15.

Alderdice.	Henderson.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston of Harris.
Clark.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Floyd.	Westbrook.
Hall.	

Absent.

King.	McNealus.
-------	-----------

Absent—Excused.

Decherd.

Pairs Recorded.

Senator Johnson of Hall (present), who would vote "no;" Senator Harley (absent), who would vote "yea."

Senator Page (present), who would vote "aye;" Senator Robbins (absent), who would vote "no."

Senator Woodward (present), who would vote "aye;" Senator Lattimore (absent), who would vote "no."

Reasons for Vote.

This measure as framed does not, in all respects, coincide with my views on the subject of highway control and operation. I should have preferred to

see the three commissioners hold their places as a matter of honor, with authority to employ the best engineering skill and talent. But the progress of the session and importance of expediting measures already under way seems to me to suggest, even to demand that no policy of delay or impediment be risked. Amendments at this stage may imperil the enactment of a law which, even if not all that could be desired, is still a great forward step from which great and far-reaching benefits to our people should ensue. Furthermore, if such policy seems desirable the law can be amended two or four years hence and in the last analysis of operation meet all the needs and demands of our people. I have confidence that the Governor, assuming that he will select the members of the Commission, to exercise conscientious and wise judgment in such selection—appreciating, as he will, the responsibility that will go with his action in the matter.

McCOLLUM.

Refusal to Adjourn.

At 6:20 o'clock p. m. Senator Page moved that the Senate adjourn until 10 o'clock tomorrow.

The motion was lost.

House Bill No. 2.

(Pending.)

Senator Dean moved the previous question on the adoption of the amendment, which motion being duly seconded, the main question was ordered.

Action recurred on the adoption of the amendment, and the same was adopted by the following vote:

Yeas—15.

Alderdice.	Henderson.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston of Harris.
Clark.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Floyd.	Westbrook.
Hall.	

Nays—6.

Bee.	Gibson.
Buchanan of Scurry.	Hudspeth.
Caldwell.	Parr.

Present—Not Voting.

McNealus.

Absent.

King.

McCollum.

Absent—Excused.

Decherd.

Pairs Recorded.

Senator Page (present), who would vote "no;" Senator Robbins (absent), who would vote "aye."

Senator Johnson of Hall (present), who would vote "yea;" Senator Harley (absent), who would vote "no."

Senator Woodward (present), who would vote "no;" Senator Lattimore (absent), who would vote "yea."

Senator Dean moved to reconsider the vote by which the amendment was adopted and table the motion to reconsider.

The motion to reconsider prevailed.

Adjournment.

At 6:30 o'clock p. m. Senator Dean moved to recess until 8 o'clock tonight.

As a substitute Senator Hall moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion to adjourn prevailed by the following vote:

Yeas—15.

Alderdice.

Henderson.

Bailey.

Hudspeth.

Bee.

Johnston of Harris.

Caldwell.

McCollum.

Dayton.

McNealus.

Floyd.

Page.

Gibson.

Woodward.

Hall.

Nays—11.

Buchanan of Bell. Parr.

Buchanan of Scurry. Smith.

Clark.

Strickland.

Dean.

Suiter.

Hopkins.

Johnson of Hall. Westbrook.

Absent.

Harley.

Robbins.

King.

Absent—Excused.

Decherd.

Lattimore.

APPENDIX A.**Petitions and Memorials.**

A letter to Senator McNealus from the President of the Coppel Local Farmers Union was read thanking the Fort Worth Record for an article relating to Senate Bill No. 219 and Frank Kell of Wichita Falls on his views on same bill.

Senator Bee offered a numerous signed petition from Bandera County requesting that they remain in the same congressional district.

A letter from the McKinney Telephone Company was sent up opposing the Dean Telephone Bill.

Senator Westbrook offered a petition on behalf of the Sunday Closing Law.

A numerous signed petition from Utopia, Texas, was offered by Senator Hudspeth opposing the Dean Telephone Bill.

Numerous letters from Somerville, Texas, were offered by Senator Page opposing the Car Shed Bill.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 187 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 385 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 391 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 138 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 388 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 368 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 271 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 167 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 204 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on En-

grossed Bills has had Senate Bill No. 186 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 291 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 26 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 395 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 118 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 315 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 316 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 223 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 363 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 352 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on County Boundaries, to whom was referred

H. B. No. 300, A bill to be entitled "An Act to increase the authority and duties of the commissioners court of Calhoun County, Texas, and of the county commissioners of said county, to require said county commissioners to devote their entire time and attention to the affairs of said county, and to fix the salary for the members of said commissioners court, and repealing all laws, general and special, in conflict with the provisions of this Act, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Parr, Chairman, Smith, Clark, Woodward.

Committee Room,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Insurance and Banking, to whom was referred

S. B. No. 384, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7, relating to reports of local insurance associations, of the Revised Civil Statutes, 1911, of the State of Texas, so as to hereafter read as follows,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal only.

GIBSON, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 367, A bill to be entitled "An Act to authorize the city council, board of aldermen, or other governing body of any city or town in this State, whether operating under a special charter or the general law, to appropriate at the end of each fiscal year so much of the net revenues of any waterworks system or other public utility system, service or enterprise owned by said city or town as such body shall deem to the best interest of said city or town, to the payment of the sinking fund and interest on the bonded indebtedness of such system, service or enterprise, such sum so appropriated to be used for no other purpose; providing for the levy of a tax for raising such sinking fund and interest where such appropriation is insufficient as herein provided, and declaring an emergency."

Have had same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSTON of Harris, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 276, a bill to be entitled

"An Act to establish a junior Agricultural and Mechanical College of Texas in each senatorial district of Texas, except the senatorial district in which the present Agricultural and Mechanical College is situated; providing for the location of such colleges; their government and control and correlating the same with the Agricultural and Mechanical College of Texas; defining the leading objects of such junior colleges and prescribing the general nature and scope of instruction to be given in such colleges; conferring upon the board of directors of the Agricultural and Mechanical College the authority to manage and control said junior colleges; making necessary appropriations for the location, establishment and maintenance of said colleges; providing that the board of directors of the Agricultural and Mechanical College shall constitute the board for locating the said junior Agricultural and Mechanical Colleges, and shall have authority to receive suitable donation of land from individuals or the community in which said colleges are located as may be necessary for the establishment and maintenance of said junior Agricultural and Mechanical Colleges, giving said board the right of eminent domain, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 397, A bill to be entitled "An Act to provide for the establishment and government of a State Normal College, to be located at Alpine, in Brewster County, Texas, to be known as the Alpine State Normal College, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following Committee amendment:

Amend the bill by striking out the word "Alpine" wherever it appears in the caption and bill and inserting in lieu thereof the words "Sul Ross"

BEE, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Insurance and Banking, to whom was referred

S. B. No. 249, A bill to be entitled "An Act to amend Chapter 15, Title 71, of the Revised Civil Statutes of this State by adding, following Article 4954, a new Article 4955, and providing in substance that all provisions of the laws of this State applicable to life, fire, marine, inland, lightning or tornado insurance companies, shall, so far as the same are applicable, govern and apply to all companies transacting any other kind of insurance business in this State so far as they are not in conflict with the provisions of law made specially applicable thereto, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GIBSON, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Insurance and Banking, to whom was referred

S. B. No. 382, A bill to be entitled "An Act to amend Article 4808a of Chapter 5 of Title 71 of the Revised Civil Statutes of the State of Texas, as the same was enacted under Section 2 of Chapter 149 of the Acts of the Regular Session of the Thirty-fourth Legislature of the State of Texas, pertaining to the payment of a funeral benefit by mutual assessment accident insurance companies, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GIBSON, Chairman.

Committee Room,
Austin, Texas, Feb. 22, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 285, A bill to be entitled "An Act to amend Article 5621, Chapter 2, of the Revised Civil Statutes of

the State of Texas of 1911, relating to liens of mechanics, contractors, builders and material men,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 150, A bill to be entitled "An Act to amend Articles 1133, 1134 and 1138 of the Revised Code of Criminal Procedure of the State of Texas of 1911, defining the duties of the district judge and the Comptroller of Public Accounts, in examining, auditing and approving all bills, claims and accounts against the State for fees and salaries in felony cases, in favor of witnesses, district, county and precinct officers; defining the duties of the district clerk, and providing a penalty for his failure to perform such duties, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 425, A bill to be entitled "An Act requiring the county attorney of Wichita County to represent the State in criminal cases in the district court of the Seventy-eighth Judicial District, and allowing him to draw same fees therefor as are now allowed county attorneys in counties having no district attorney, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 323, A bill to be entitled "An Act to amend Article 3876, Title 58, Chapter 3, of the Revised Civil Statutes of 1911, relating to district and county surveyor's fees, fixing the fees which such officers shall receive, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 21, A bill to be entitled "An Act fixing the salaries of judges of the Supreme Court, and the Court of Criminal Appeals, and the judges of the Courts of Civil Appeals, and of the district courts of this State, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I, a minority of your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 21,

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

SUITER.

(Floor Report.)

Senate Chamber

Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on

Civil Jurisprudence, to whom was referred

S. C. R. No. 15, "A resolution providing for the appointment of a committee to draft a bill embodying a complete revision of the Statutes of this State relating to ad valorem taxation, together with such amendments, changes and additions as will provide an efficient law upon the subject, and providing a more efficient system for collection of delinquent taxes, providing a method to prevent double renditions of property and a more efficient system of bookkeeping for tax collectors, assessors and comptroller; providing for the employment of an assistant and stenographer; authorizing the payment of salaries from the contingent expense fund of the House and Senate."

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass.

Bailey, Chairman; Hopkins, Suiter, Hall, Bee, Dean.

(Floor Report.)

Senate Chamber.

Austin Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 414, A bill to be entitled "An Act creating a more efficient road system for Grimes County, Texas, etc., and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Buchanan of Scurry, Floyd, Smith, Strickland, Clark, Gibson.

Committee Room.

Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 402, A bill to be entitled "An Act to validate all sales of public free school land, university land and asylum land, which were made after forfeiture for non-payment of interest, but prior to the entry of such forfeiture on the account kept

with the purchaser, and all sales of said land which were made upon application filed prior to the cancellation of a former sale for the failure of the owner to reside on the land, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass, and be printed in the Journal only.

PARR, Chairman.

By Hudspeth.

S. B. No. 402.

A BILL

To Be Entitled

An Act to validate all sales of public free school land, university and asylum land which were made after forfeiture for non-payment of interest, but prior to the entry of such forfeiture on the account kept with the purchaser, and all sales of said land which were made upon applications filed prior to the cancellation of a former sale for the failure of the owner to reside on the land, and declaring an emergency.

Whereas, The land sales Acts of 1887 and 1895 were so construed from date of enactment until the decision of the Supreme Court in the case of Chambers vs. Robinson, 179 Southwestern Reporter, page 123, on October 13, 1915, to mean the entry of forfeiture for non-payment of interest on the account kept with the purchaser was not a necessary condition precedent to a new sale of the land, and

Whereas, The same Acts were so construed as to mean a cancellation of a former sale for the non-residence on the land by the owner was not a necessary condition precedent to a new sale to one who filed an application prior to such cancellation until the decision by the Supreme Court in the case of Adams vs. Terrell, 107 Southwestern, page 537; and,

Whereas, During these twenty-eight years several thousand such sales have been made and which sales have been declared invalid by said court are perhaps now the basis of many homes; and,

Whereas, Under the law those titles are in such condition that no

one except the State can attack them; and,

Whereas, The purchasers of the land affected as herein alleged are keeping their interest payments paid and otherwise discharging their obligations to the State and are justly entitled to have the title to their land and homes made secure against any possible future attack by the State; therefore,

Be it enacted by the Legislature of the State of Texas:

Section 1. All sales of public free school land, university land and asylum land which were made after a former sale had been forfeited for non-payment of interest and before the entry of such forfeiture had been entered on the account kept with the owner, and all sales of said land which were made upon purchase applications filed before a former sale had been cancelled for the failure of the owner to reside upon the land are hereby validated and shall hereafter be deemed valid so far as the State is concerned; provided, no rights of third persons shall be affected.

Sec. 2. The importance of this measure to those citizens in almost every county whose titles are affected by the court's decision after the lapse of 28 years and the near approach to the close of the session creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three separate days in each house be suspended and that this be placed upon its third reading and final passage and take effect from its passage.

Committee Room,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 404, A bill to be entitled "An Act to repeal Article 2633 of the Revised Statutes of the State of Texas of 1911, and to provide for the lease and sale of the lands belonging to the permanent fund of the University of Texas; to provide the time, manner, conditions and terms upon which said lands may be sold or leased, and the reservation of all minerals on all of said lands, and

providing further for placing the sale and leasing of said lands under the control of the Commissioner of the General Land Office, and repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

PARR, Chairman.

By Hudspeth.

S. B. No. 404.

A BILL To Be Entitled

An Act to repeal Article 2633 of the Revised Statutes of the State of Texas of 1911, and to provide for the lease and sale of the lands belonging to the permanent fund of the University of Texas; to provide the time, manner, conditions and terms upon which said lands may be sold or leased, and the reservation of all minerals on all of said lands, and providing further for placing the sale and leasing of said lands under the control of the Commissioner of the General Land Office, and repealing all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The land which belongs to the permanent fund of the University of Texas and which may not be sold nor leased on the first day of September, 1917, nor sold or leased on the first day of January, May and September of each year thereafter shall be subject to sale and offered for sale and sold by the Commissioner of the General Land Office under the same regulations, at the same time, on the same terms and conditions that is now or may hereinafter be provided by law for the sale of surveyed school land except as changed herein; provided that all leases heretofore made by authority of the Board of Regents of the University, which are in force when this Act takes effect, shall be continued in full force and effect subject to the terms of such leases, and such lands shall not be placed on the market during the life of such lease.

Sec. 2. The land that may be wholly or partly within the Counties

of Andrews, Gaines, Dawson, Martin, Irion and Ward shall be sold in eighty-acre tracts or multiples thereof, but not to exceed two sections to one purchaser; provided, any number of acres other than a multiple of eighty acres remaining unsold may be sold. A purchaser in the counties named herein shall reside continuously upon some portion of the land purchased for three consecutive years next succeeding the date of award of the home tract, including the time allowed to settle. One applying to purchase land upon condition of settlement and residence shall designate one tract as a home and each other tract applied for shall be as additional to said home tract, and shall be wholly within five miles of the home tract. If a purchaser on condition of settlement and residence fails to reside upon some portion of the land purchased continuously for three consecutive years, counting from the date of award, or if such purchaser fails to place upon the land purchased permanent improvements of the reasonable value of three hundred dollars within the three years term of residence, the land shall be subject to forfeiture, together with all payments and improvements, and when the Commissioner of the General Land Office is sufficiently informed of the failure of residence or the failure to improve the land as herein required, he shall cancel the sale and again offer the land for sale at the first succeeding sale date practicable after such cancellation. Proof of the residence or improvements shall be made in the manner now provided by law for the proving of residence on school land, and a certificate of the sufficiency of such occupancy and improvements when approved by the Commissioner of the General Land Office shall be issued thereon; which said certificate may be recorded as a muniment of title in the office of the county clerk of the proper county, and in the manner now provided by law in the sale of school land. One who buys land upon condition of settlement and residence shall not transfer any part thereof until after the completion of the three years' residence. After the completion of the residence one may sell the land or any part thereof in forty-acre tracts or multiples thereof.

Sec. 3. Such of the university land that may be situated in any

county or counties other than those named in this Act shall be sold without settlement and residence, but in whole tracts only and in quantities not to exceed eight sections to any one person. A purchaser without condition of settlement and residence may sell his purchase or any part thereof in whole tracts according to his purchase at any time after the award.

Sec. 4. Purchasers under this Act shall accompany their applications with one-fortieth of the price offered for the land and execute a note to the State for the balance due, bearing five per cent interest per annum, binding the purchaser to pay to the Commissioner of the General Land Office, at Austin, Texas, all principal and interest at the time and in the manner provided for the payment of principal and interest on school land. Should interest not be paid on the first day of each November after sale, the land shall be subject to forfeiture in the same manner as is or may be provided for the forfeiture of sales of school land for non-payment of interest.

Sec. 5. Should one purchase land for another or if one should purchase land with an agreement, verbal or written, that another should have an interest therein or if one should purchase land with the intent that another should have an interest therein, such purchase shall be void, and when the Commissioner of the General Land Office is sufficiently informed of the facts which establish such collusive purchase, he shall cancel the sale and again offer the land for sale or the Attorney General may sue to cancel the sale and recover the land; provided, after the lapse of three years from date of award it shall be conclusively presumed that no collusion existed in the purchase.

Sec. 6. The university land shall be sold with the reservation of all minerals therein for the benefit of the permanent fund of the University of Texas, and all applications shall contain a statement of such reservation.

Sec. 7. No university land shall be leased, except as hereinafter provided after the approval of this Act, but all persons in possession of any of such land shall pay lease rental therefor to the Commissioner of the General Land Office at Austin, Texas, at the same rate that was paid under the last terminated lease from the

date of termination until the date of the award of the land. Should any land not be sold at any sale date the Commissioner of the General Land Office may lease same subject to sale at subsequent sale dates. No one shall be disqualified from buying land under this Act by reason of purchases heretofore made under any former law.

Sec. 8. A lessee of the lands included within this Act who may have permanent improvements upon any section or sections of the reasonable value of five hundred dollars or more, exclusive of fences, at the date of the passage of this Act or at a time prior to two years next preceding the expiration thereof, or the termination of any lease, if terminated for any reason named in said lease, which improvements are still of such value at the time a designation is filed in the General Land Office indicating the sections on which such improvements may be situated, shall have the right to purchase such sections without condition of settlement and residence at the average price at which adjacent sections may be sold. One desiring to exercise the right given herein shall file in the General Land Office, not less than ninety days prior to the expiration thereof or termination of the lease, if terminated for any reason named in said lease, a designation of the section or sections on which he desires to exercise such right. Every designation shall be accompanied by an affidavit of the owner of the lease corroborated by the affidavits of two disinterested, credible persons stating the kind of improvements and their reasonable value. If the Commissioner should not be satisfied with the statement as to improvements and their value, he may require further evidence. Within thirty days after the sale date on which the other lands in the lease come on the market the Commissioner shall fix a value on each section designated by a lessee which value shall be the average price offered for the adjacent section or sections or the average price offered for the nearest section or sections. Within thirty days after notice of the valuation herein provided for the lessee shall file in the General Land Office his application and obligation for the purchase of the land together with the first payment therefor; pro-

vided, one shall not purchase under this right more than the quantity allowed to one purchaser; and provided further, that the permanent improvements mentioned herein means that there must be five hundred dollars in improvements on each section sought to be purchased under this Act.

Sec. 9. A bona fide assignee of an entire lease and the sub-lessee of a portion of a lease who is such assignee or sub-lessee at the date of the passage of this Act, or who may become such not less than five years next preceding the termination of the lease, and who may be the owner of such ninety days prior to the termination of the lease, may exercise the rights given herein.

Sec. 10. That Article 2633 of the Revised Civil Statutes of the State of Texas of 1911, and all other laws in conflict herewith are expressly repealed.

Sec. 11. The fact that there is no adequate law for the sale of the university land and the fact that it is in great demand, and the further fact that it is believed sales will be more advantageous to the university fund than leases, creates an imperative public necessity for the suspension of the constitutional rule requiring bills to be read on three several days in each house, and that this bill be placed upon third reading and final passage, and it is so enacted.

Committee Room.

Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Insurance and Banking, have had under consideration

S. B. No. 392, A bill to be entitled "An Act authorizing individuals, partnerships and corporations to exchange among themselves, by and through a duly appointed attorney in fact, reciprocal or inter-insurance contracts, providing indemnity against any loss which may be insured against in this State, excepting life insurance, etc."

And beg leave to report the same back to the Senate with the recommendation that it do pass, together with the committee amendments, and that said bill, together with the committee amendments, be not printed, but be printed in tomorrow's Journal.

Committee Amendments.

Amend caption S. B. No. 392 by adding after the word "corporations" in line one "of this State."

Amend caption S. B. No. 392 by inserting after the word "themselves" in line 2 the following: "and with individuals, partnerships and corporations of other States and countries."

Amend caption of S. B. No. 392 by inserting after the word "banking" in line 10 the following: "or a deposit of Texas securities in lieu of said bond."

Amend by striking out word "fifty" and insert in lieu thereof word "twenty-five" in Section 4, line 6.

In line 7, Section 4, strike out word "the" before word "subscribers" and insert in lieu thereof word "Texas."

In Section 4, line 13, insert word "Texas" after words "advance payments of."

Amend S. B. No. 392, Section 4, by adding at the end of said Section the following:

"Provided, that in lieu of the bond provided in this Section, said reciprocal or inter-insurance exchange may deposit with the State Treasurer Texas securities to be approved by the Commissioner of Insurance and Banking in an amount equal to twenty-five per cent of the reserves required to be kept on the business of Texas subscribers, and in no case less than ten thousand dollars."

GIBSON, Chairman.

By Dayton.

S. B. No. 392.

A BILL
To Be Entitled

An Act authorizing individuals, partnerships and corporations to exchange among themselves, by and through a duly appointed attorney in fact, reciprocal or inter-insurance contracts, providing indemnity against any loss which may be insured against in this State, excepting life insurance; providing certain conditions to be complied with precedent to the issuance of certificates of authority by the Commissioner of Insurance and Banking to any attorney, solicitor, agent or other representative of any such reciprocal or inter-insurance exchange, and fixing a fee for such certificates;

providing for a bond to be filed with and approved by the Commissioner of Insurance and Banking, and requiring reports to be made of the business transacted by such reciprocal or inter-insurance exchanges; providing penalties for violation; repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That individuals, partnerships and corporations of this State hereby designated subscribers are hereby authorized to exchange reciprocal or inter-insurance contracts with each other, or with individuals, partnerships and corporations of other States and countries providing indemnity among themselves from any loss which may be insured against under the laws of this State, excepting life insurance.

Sec. 2. That such contracts may be executed by a duly appointed attorney in fact authorized and acting for such subscribers, and the office or offices of such attorney may be maintained at such place or places as shall be designated by the subscribers in the power of attorney.

Sec. 3. That such subscribers, so contracting among themselves, shall, through their attorney, file with the Commissioner of Insurance and Banking of this State a declaration verified by the oath of such attorney, which declaration shall set forth:

(a) The name or the title of the office at which such subscribers propose to exchange such contracts of indemnity. Said name or title shall not be so similar to any other name or title previously adopted by a similar association, or by any insurance corporation or association, as in the opinion of the Commissioner of Insurance and Banking is calculated to result in confusion or deception. The office or offices through which such indemnity contracts shall be exchanged shall be classified as reciprocal or inter-insurance exchanges.

(b) The kind or kinds of insurance to be effected or exchanged.

(c) A copy of the form of policy, contract or agreement under or by which such insurance is to be effected or exchanged.

(d) A copy of the form of power of attorney or authority of such attorney, and a copy of the by-laws or any other rules, regulations or

agreements by or under which such insurance is to be effected or exchanged.

(e) The location of the office or offices from which such contracts or agreements are to be issued.

(f) That applications have been made for indemnity upon at least seventy-five separate risks, aggregating not less than one-half million dollars, as represented by executed contracts or bona fide applications to become concurrently effective, or in case of liability or compensation insurance, covering a total pay roll of not less than two thousand employees.

(g) An instrument in writing executed by the attorney for said subscribers, conditioned that, upon the issuance of certificate of authority provided for in Section 8 hereof, service of process may be had upon the Commissioner of Insurance and Banking in all suits in this State arising out of such policies, contracts or agreements, which service shall be valid and binding upon all subscribers exchanging at any time reciprocal or inter-insurance contracts through such attorney, and the contract or agreement under which such insurance indemnity is effected or exchanged shall contain a provision to the effect that service may be had upon the Commissioner of Insurance and Banking, as provided in this Section. Provided, that, when such service is had, three copies of such process shall be served, and the Commissioner of Insurance and Banking shall file one copy, forward one copy to said attorney, and return one copy with his admission of service.

Sec. 4. That concurrently with the filing of the declaration provided for by the terms of Section 3 hereof, the attorney shall file with the Commissioner of Insurance and Banking a bond with good and sufficient surety or sureties, to be approved by the Commissioner of Insurance and Banking, payable to the Commissioner of Insurance and Banking and his successors in office, in a sum equal to twenty-five per cent of the net aggregate annual deposits collected and credited to the account of the Texas subscribers on contracts having one year or less to run, and pro rata on those for longer periods, which bond shall be renewed from year to year so as to cover twenty-five per cent of said advanced deposits as herein described, as shown

by the annual report to the Commissioner of Insurance and Banking for the previous calendar year, as required by Section 5 of this Act, and for this purpose the net annual deposits shall be construed to mean the advance payments of Texas subscribers after deducting therefrom the amounts specifically provided in the subscribers' agreements for expenses and reinsurance; provided, that no bond shall be required in excess of fifty thousand dollars, nor in any case be less than ten thousand dollars, and that no bond shall be approved the surety or sureties of which are not subject to the jurisdiction of the courts of this State, said bond conditioned that said attorney will pay all lawful obligations to citizens of this State arising from the transactions of such reciprocal or inter-insurance exchange, and such bond shall be subject to successive suits by citizens of this State subscribers to such reciprocal or inter-insurance exchange, or by any citizen of this State, not a subscriber, having a claim against such reciprocal or inter-insurance exchange, so long as any part of the same shall not be exhausted, and said bond shall be kept in force unimpaired until all claims of the subscribers and citizens of this State, arising from the exchange of indemnity contracts as authorized by this Act have been fully satisfied.

Sec. 5. That such attorney shall make an annual report under oath to the Commissioner of Insurance and Banking for each calendar year, which report shall be made on or before March 1 for the previous calendar year ending December 31, showing the true financial condition of the office of such reciprocal or inter-insurance exchange, and which shall include a full statement of all outstanding liability classified as to the time that said liability has to run; a statement of the advance premiums or deposits collected on each of said classifications; a statement of the total losses sustained and losses paid; a statement of the amount returned to subscribers and the amount retained for expenses; detailed description of all the assets of said reciprocal or inter-insurance exchange, and any other information which may be pertinent to a full and complete report of the business transacted by such reciprocal or inter-insurance exchange, or the attor-

ney thereof; provided, however, that such attorney shall not be required to furnish the names and addresses of any subscribers. The business as shown at the office of the attorney thereof shall be subject to examination by the Commissioner of Insurance and Banking.

Sec. 6. That any corporation now or hereafter organized under the laws of this State shall, in addition to the rights, powers and franchises specified in its articles of incorporation, have full power and authority to exchange insurance contracts of the kind and character herein mentioned. The right to exchange such contracts is hereby declared to be incidental to the purposes for which such corporations are organized and as much granted as the rights and powers expressly conferred.

Sec. 7. That any attorney, agent, solicitor or other representative who shall, except for the purpose of applying for certificate of authority as herein provided, take any application or execute, exchange or negotiate contracts of indemnity of the kind and character specified in this Act, or directly or indirectly solicit or negotiate any application for same without first complying with the foregoing conditions, and securing a certificate of authority according to the provisions of this Act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail not less than thirty days nor more than six months, or by both such fine and imprisonment; and each application taken or contract of indemnity negotiated or exchanged shall constitute a separate offense; provided further, that it shall be the duty of the Commissioner of Insurance and Banking, upon information obtained by him that the provisions of this Section have been violated, to make or cause to be made complaint against any person so violating, said complaint to be made to the county attorney in the county where such violation occurred, and to furnish said county attorney such information and evidence he may possess, and to assist in the prosecution of such person so far as may, in his discretion, seem practicable.

Sec. 8. That each attorney, agent, solicitor or other representative by

whom or through whom are issued any policies of or contracts for indemnity of the character referred to in this Act shall procure from the Commissioner of Insurance and Banking annually a certificate of authority, stating that all of the requirements of this Act have been complied with, and upon such compliance and the payment of the fees required by this Act, the Commissioner of Insurance and Banking shall issue such certificate of authority. The Commissioner of Insurance and Banking may revoke or suspend any certificate of authority issued hereunder in case of breach of any of the conditions imposed by this Act after reasonable notice has been given said attorney, in writing, so that he may appear and show cause why action should not be taken. Any attorney who may have procured a certificate of authority hereunder shall renew same annually; provided, however, that any certificate of authority shall continue in full force and effect unless revoked, as herein provided, until the new certificate of authority is issued or specifically refused.

Sec. 9. That such attorney, agent, solicitor or other representative shall pay as a fee for the issuance of the certificate of authority herein provided the sum of twenty dollars, which shall be in lieu of all license fees and taxes of whatsoever character in this State.

Sec. 10. That, except as herein provided, no insurance law in the State shall apply to the exchange of such indemnity contracts unless they are specifically mentioned.

Sec. 11. That Chapter 109 of the General Laws of the Regular Session of the Thirty-third Legislature and Chapter 156 of the General Laws of the Regular Session of the Thirty-fourth Legislature of the State of Texas be and the same are hereby repealed and all other laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 12. The fact that the law enacted by the Thirty-fourth Legislature with regard to reciprocal insurance has been pronounced unconstitutional by the Attorney General because of a faulty caption, and that there is no law in the State adequately covering the subject of reciprocal insurance, and the crowded condition of the calendar, creates an emergency and an imperative public

necessity that the constitutional rule requiring bills to be read on three several days before passage be suspended, and that this Act become a law from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Insurance and Banking, to whom was referred

S. B. No. 399, A bill to be entitled "An Act to amend Article 4965, Chapter 15, Title 71, of the Revised Statutes of the State of Texas, relating to the subject of insurance, and prohibiting licensed insurance agents from paying any consideration on account of policies of insurance in Texas, to others than resident licensed insurance agents in this State, so as to likewise prohibit insurance companies authorized to do business in this State from paying any consideration on account of policies of insurance issued upon property in Texas to others than licensed insurance agents within the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass, and that it be not printed, but printed in the Journal.

GIBSON, Chairman.

By Woodward.

S. B. No. 399

A BILL
To Be Entitled

An Act to Amend Article 4965, Chapter 15, Title 71, of the Revised Statutes of the State of Texas, relating to the subject of insurance and prohibiting licensed insurance agents from paying any consideration on account of policies of insurance in Texas, to others than resident licensed insurance agents in this State, so as to likewise prohibit insurance companies authorized to do business in this State from paying any consideration on account of policies of insurance issued upon property in Texas to others than licensed insurance agents within the State of Texas.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 4965, Chapter 15, Title 71, of the Revised Statutes of the State of Texas, be, and the same is hereby, amended so that the same shall hereafter read as follows:

Any person, agent, firm or corporation licensed by the Commissioner of Insurance to act as a fire and marine, tornado, rent, accident, casualty liability, health, elevator, disability, plate glass, burglary, bonding, title, surety or fidelity insurance agent in the State of Texas, is hereby prohibited from paying, directly or indirectly, any commission, brokerage or other valuable consideration on account of any policy or policies covering property, person or persons, in the State of Texas, to any person, persons, agent firm or corporation that is a non-resident of the State of Texas, or to any person or persons, agent, firm or corporation not duly licensed by the Commissioner of Insurance and Banking of the State of Texas as a fire, fire and marine, marine, tornado, rent, accident, casualty, liability, health, elevator, disability, plate glass, burglary, bonding, title, surety or fidelity insurance agent; and fire, fire and marine, marine, tornado, rent, accident, casualty, liability, health, elevator, disability, plate glass, burglary, bonding, title, surety or fidelity insurance company, legally authorized to do business in this State is hereby prohibited from paying, directly or indirectly, any commission, brokerage, or other valuable consideration, on account of any policy or policies covering property, person or persons, in the State of Texas, to any person, persons, agent, firm, or corporation, that is a non-resident of the State of Texas, or to any person or persons, agent, firm or corporation, not duly licensed by the Commissioner of Insurance and Banking of the State of Texas as a fire, fire and marine, marine, tornado, rent, accident, casualty, liability, health, elevator, disability, plate glass, burglary, bonding, title, surety, or fidelity insurance agent; provided, however, that it shall not be unlawful for any such insurance company to pay such commission to other than licensed insurance agents in this State, upon policies of insurance which such com-

panies are authorized by Article 4963 of the Revised Statutes of the State of Texas to issue through others than licensed insurance agents within this State.

Sec. 2. The crowded condition of the calendar and the fact that the law as it now exists authorizes the payment of commissions upon policies of insurance to non-residents and to persons not legally licensed as insurance agents in Texas, by insurance companies, while it forbids legally licensed agents of insurance companies in this State so to do, and thus unfairly discriminate against licensed insurance agents in the State of Texas, creates an emergency, and an imperative public necessity, requiring that the constitutional rule providing that bills shall be read on three several days in each house be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 50, A bill to be entitled "An Act to amend Section 24 of Article 1830, Title 37, Revised Civil Statutes of 1911, of the State of Texas which fixes the venue of suits against any private corporation, association or joint stock company in any county in which the cause of action or part thereof arose, by providing in addition thereto that any person or firm may be sued in any county in which the cause of action or a part thereof arose, without regard to when the cause of action may have accrued or suit begun, and declaring an emergency,"

Have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed in the Journal only.

Bailey, Chairman; Hall, Dean, Alderdice, Sulter, Hopkins, Henderson.

By Hudspeth.

S. B. No. 50.

A BILL
To Be Entitled

An Act to amend Section 24 of Article 1830, Title 37, Revised Civil Statutes of 1911 of the State of Texas, which fixes the venue of suits against any private corporation, association or joint stock company in any county in which the cause of action or a part thereof arose, by providing in addition thereto that any person or firm may be sued in any county in which the cause of action or a part thereof arose, without regard to when the cause of action may have accrued or suit begun, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 24 of Article 1830, Title 37, Revised Civil Statutes of 1911 of the State of Texas, be so amended as to hereafter read as follows:

"Section 24. Suits against any person, firm, private corporation, association or joint stock company may be commenced in any county in which the cause of action, or a part thereof, arose, without regard to when the cause of action may have accrued or suit begun, or in which such corporation, association or company has an agency or representative, or in which its principal office is situated; and suits against a railroad corporation, or against any assignee, trustee or receiver operating its railway, may also be brought in any county through or into which the railroad of such corporation extends or is operated. Suits against receivers of persons and corporations may also be brought as provided for in Article 2147."

Sec. 2. The fact that the present law works a hardship on the commercial public, and causes an unnecessary expense in going to distant counties, from where transactions occur, with their suits creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and this Act shall take effect and be in force from and after its passage.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 358, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being 'An Act to amend Section 2 of Chapter 42, of the General Laws of the Thirtieth Legislature, relating to exemptions as affecting employes and ex-employes of common carriers, express, railway, telegraph, news and other companies, persons and corporations, performing service for or in connection with the operation of the railways; the State Railroad Commissioners; peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions; deputy sheriffs; United States Marshals and not more than two deputies of each such marshal; chiefs of police and city marshals; eleemosynary and religious societies; volunteer firemen and Confederate veterans; the State Game, Fish and Oyster Commissioner and his two chief deputies; State and county health officers; government representatives accompanying fish for free distribution in the streams of this State; the Dairy and Food Commissioner and two chief deputies, and providing for right of contract between railway companies and editors, proprietors or publishers of newspapers and magazines; persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances; constables; members of the State Militia in uniform when called into service,' so as to include among the exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work, and all city fire marshals while traveling to and from their State and district conventions, and also the duly appointed and salaried inspectors of the Texas Cattle Raisers Association and the Panhandle and Southwestern Cattle Raisers Association, who are also

peace officers of the State of Texas, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed in the Journal only.

McCollum, Hall, Johnston of Harris, Clark, Harley, Henderson, Gibson.

By Hudspeth.

S. B. No. 358.

A BILL
To Be Entitled

An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being 'An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemptions as affecting employes and ex-employes of common carriers, express, railway, telegraph, news and other companies, persons and corporations, performing service for or in connection with the operation of the railways; the State Railroad Commissioners; peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions; deputy sheriffs, United States marshals and not more than two deputies of each such marshal; chiefs of police and city marshals; eleemosynary and religious societies; volunteer firemen and Confederate veterans; the State Game, Fish and Oyster Commissioner and his two chief deputies; State and county health officers; Government representatives accompanying fish for free distribution in the streams of this State; the Dairy and Food Commissioner and two chief deputies; and providing for right of contract between railway companies and editors, proprietors or publishers of newspapers and magazines; persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances; constables; members of the State Militia in uniform when called into service,' so as to include among the exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work, and

all city fire marshals while traveling to and from their State and district conventions, and also the duly appointed and salaried inspectors of the Texas Cattle Raisers Association and the Panhandle and Southwestern Cattle Raisers Association, who are also peace officers of the State of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 2, Chapter 83, of the General Laws of the Regular Session of the Thirty-second Legislature, be amended so as to hereafter read as follows:

Sec 2. That the provisions of Section 1 of this Act shall not be held to prohibit any steam or electric interurban railway, telegraph company or chartered transportation company, or sleeping car company, or the receivers or lessees thereof, or persons operating the same or the officers, agents or employes thereof, from granting free or exchanging free passes, franks, privileges, substitute for pay or other thing herein prohibited to the following persons: The actual bona fide employes of any such companies and the members of their families. The term employes shall be construed to embrace the following persons only: All persons actually employed and engaged in the service of any such companies, including its officers, bona fide ticket, passenger and freight agents, physicians, surgeons and general attorneys, and attorneys who appear in court to try cases and who receive a reasonable annual salary; furloughed, pensioned and superannuated employes; persons who have become disabled or infirm in the service of such common carrier, and the remains of a person killed in the employment of a carrier, and employees traveling for the purpose of entering the service of any such common carrier. And the term families as used in this paragraph shall include the families of the persons named in this provision; also the families of persons killed while in the service of any such common carrier; also persons actually employed on sleeping cars, express cars, also officers and employes of telegraph and telephone companies, newsboys employed on trains, railway mail service employes and their families,

postoffice inspectors, chairmen and bona fide members of grievance committees of employes; bona fide custom and immigration inspectors employed by the government, the State Health Officer and one assistant, and Federal health officers, county health officers, the State Railroad Commissioners, State Superintendent of Public Buildings and Grounds; the fire marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work and all city fire marshals while traveling to and from their State and district conventions; the State Game, Fish and Oyster Commissioner and his two chief deputies; also government representatives accompanying from the Texas fish hatcheries shipments of fish for free distribution in the waters of this State; the Dairy and Food Commissioner and deputies; also, when livestock, poultry, fruit, melons or other perishable produce is shipped, the necessary caretakers, while en route and return; also trip passes to the indigent poor when application therefor is made by any religious or charitable organization; Sisters of Charity, or members of any religious society of like character; delegates to the different farmers' institutes and farmers' congresses and farmers' unions; also all delegates to the State and district firemen's conventions from volunteer fire companies; and Confederate veterans who are or have been, or who hereafter may be admitted to the Confederate Home; managers of the Young Men's Christian Associations or other eleemosynary institutions while engaged in charitable work; also the officers or employes of industrial fairs during the continuance of any said fair and six months prior thereto; provided, that no more than four officers or employes of any one fair or association shall receive passage in any one year; also persons injured in wrecks upon the road of any such company immediately after such injury, and the physicians and nurses attending such persons at the time thereof; also persons and property carried in cases of general epidemic, pestilence or other calamitous visitations at the time thereof or immediately thereafter; also the United States marshals and not more than two deputies of each of such marshals; State rangers; constables; the members of the State Militia in

uniform and when called into service for the State; sheriffs and not more than two deputies to each constable or sheriff; chiefs of police or city marshals, whether elective or appointive. Any bona fide policeman or fireman in the service of any city or town in Texas, and any bona fide salaried inspector of the Texas Cattle Raisers Association and the Panhandle and Southwestern Cattle Raisers Association who are also Texas officers of this State having a commission from a sheriff or constable, may have right to ride upon free transportation furnished by any steam railroad company, any street railway company, any interurban railway company or other lines of public transportation, when such policeman or fireman is in the discharge of his public duty; but this provision shall not be construed so as to apply to men holding commissions as special policemen or firemen. Any bona fide peace officer shall enjoy the same privilege, when their duties are to execute criminal processes; provided, that if any such railroad or transportation company shall grant to any sheriff a free pass over its lines of railroad, then it shall issue like free transportation to each and every sheriff in this State who may make to it written application therefor; and provided further, that said sheriffs and other peace officers above mentioned using such free passes or transportation shall deduct the money value of the same at the legal rate per mile from any mileage accounts against the State and litigants earned by them in executing process when such pass was used or could have been used; also members of the Live Stock Sanitary Commission or their inspectors, of Texas, not exceeding twenty-five (25) in number for any one year; any person who has, by many years of actual labor, aided, assisted and been instrumental in securing the passage of statutes by the Congress of the United States requiring the equipment of railroad trains with adequate safety appliances for the protection of the persons and lives of the employees and passengers; provided, that such person was not at such time a public officer, National, State or local, nor employed directly or indirectly by any railroad company; provided, that nothing in this Act shall prevent any such compa-

nies, the receivers or lessees thereof and their families or the officers, agents or employes from granting to ministers of religion reduced rates of one-half ($\frac{1}{2}$) the regular fare, nor shall anything in this Act prevent such companies, their receivers or lessees from transporting free of charge any article being sent to any orphan home or other charitable institution; provided further, that nothing in this Act shall be construed to prohibit any such companies, their receivers or lessees or officers, agents or servants from making special rates for special occasions or under special conditions, but no such rates shall ever be made without first obtaining authority from the Railroad Commission of Texas; and provided further, that no persons who hold any public office in this State shall at any time during their term of office be entitled to any such pass or transportation, privilege or franks or substitute for fare or charges over any railway or other company mentioned in Section One (1) of this Act, except employes operating trains when in the actual discharge of their duties as such and the officers and Confederate veterans hereinbefore exempted; provided further, that nothing in this Act shall prohibit any street railway company from transporting, free of charge, police officers and firemen in any city where said company is authorized to do so by any ordinance or authority from the city council of any such city; provided, however, that no person or persons, beneficiaries of free transportation herein permitted, shall ride on a free pass or enjoy free transportation to or from any political convention or on any political errand; that nothing in this Act shall prohibit any express company from handling or carrying free of charge the packages and property of its actual and bona fide officers, attorneys, agents and employes who are actually in the employment of any such company, its receivers or lessees, at the time such free transportation or the right thereto was given; and provided further, that nothing in this Act shall be construed to prohibit any telegraph or telephone company from carrying or transmitting free of charge the messages of its bona fide officers, attorneys, agents and employes and their families who are

actually in the employment of such company, its receiver or lessees at the time when such free transportation or the right thereto was given; provided, the actual bona fide officers and employes upon annual salaries of railway and telephone companies, and telegraph companies, are hereby permitted to exchange franks, privileges and free transportation over their respective lines of railway and telegraph and telephone; and provided further, that nothing in this Act shall be construed to prevent the right of contract between railway companies and publishers, editors or proprietors of newspapers or magazines from making an exchange of mileage for advertising space in such newspapers or magazines; and provided further, that the contract between the railway companies and publishers, editors or proprietors of such newspapers shall be upon the same basis of charges as is charged the public generally for a like service, and that the said exchange shall be on a basis of value received in all cases, and providing that such contracts shall be in writing and shall not be operative until approved by the Railroad Commission of this State and filed in the office of the Commission as a part of the records thereof, subject at all reasonable times to public inspection; and that nothing herein contained shall be construed to prevent railway, express, railway news and other companies, persons and corporations performing service for or in connection with the operation of railways, from issuing to or exchanging with each other, franks, passage and free transportation of persons and property to each other and to their respective company's officers and employes for the use of the respective facilities; provided, that nothing herein contained shall be construed to prohibit actual bona fide employes from riding on a pass if he at the same time holds the position of school trustee or notary public.

Sec. 3. The crowded condition of the calendar and the rush of business attending on the near approach of the end of the session creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this

Act shall take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 340, A bill to be entitled "An Act providing for the filing of suits by cities, towns and villages incorporated under the General Laws to enforce the payment of delinquent taxes, providing for the filing of such suits by the city attorney, or by the mayor or attorney employed for that purpose; providing for the stay of execution for ninety days and for the redemption of property so sold within six months thereafter,"

Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass, and be printed in the Journal only.

Johnston of Harris, Chairman;
McCollum, Bee, King, Hall, Suiter.

By Hudspeth. S. B. No. 340.

A BILL To Be Entitled

An Act providing for the filing of suits by cities, towns and villages incorporated under the General Laws to enforce payment of delinquent taxes; providing for the filing of such suits by the city attorney, or by the mayor or attorney employed for that purpose, providing for the stay of execution for ninety days and for the redemption of property so sold within six months thereafter.

Be it enacted by the Legislature of the State of Texas:

Section 1. In addition to all other methods provided by law for enforcing the payment of delinquent taxes, any city, town or village organized under the General Laws of this State may file suit against any person owing such delinquent taxes and upon proof of such debt may have judgment thereon with foreclosure of the tax lien and have execution or order of sale thereon.

Sec. 2. Such tax suits shall be in-

stituted by the city attorney, provided, however, that if a city, town or village has not a city attorney, such suits may be instituted by the mayor, or by an attorney employed by such city, town or village.

Sec. 3. Execution and order of sale shall be issued in the same manner as in other suits, provided, however, such execution or order of sale shall not be issued until after ninety days from the rendition of a judgment in such suits.

Sec. 4. Whenever any property is sold under an execution or order of sale upon such judgment, the owner thereof may redeem same at any time within two years after the date of such sale by paying the city, town or village, or other purchaser thereof, double the amount of judgment and all costs accruing thereon.

Sec. 5. Nothing in this Act contained shall repeal any provision of law for the collection of taxes, but shall be in addition to all such laws.

Sec. 6. There being an urgent demand for some simple method of collecting delinquent taxes by cities, towns and villages which creates an emergency, and imperative public necessity, the rule requiring bills to be read on three several days is suspended and this Act shall be in effect from and after its passage.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 22, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 191, A bill to be entitled

"An Act to reorganize the Thirty-eighth, the Fifty-first, Sixty-third and the Seventieth Judicial Districts of the State of Texas; and to create the Eighty-second Judicial District of the State of Texas; and to prescribe the time, and fix the terms of holding the courts in each of the said Judicial Districts; and to conform all writs and process from such court to such changes, and to provide for the appointment and election of a district judge and district attorney in said Eighty-second Judicial District, and to make all process issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of the courts in the several

districts as herein fixed; to validate such process, and to validate the summoning of grand and petit juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

Buchanan of Scurry, Chairman; McCollum, Parr, King, Hall, Johnston of Harris, Dean, Suiter.

By Hudspeth.

S. B. No. 191.

A BILL To Be Entitled

An Act to reorganize the Thirty-eighth, the Fifty-first, Sixty-third and the Seventieth Judicial Districts of the State of Texas; and to create the Eighty-second Judicial District of the State of Texas; and to prescribe the time, and fix the terms of holding the courts in each of the said judicial districts; and to conform all writs and process from such courts to such changes, and to provide for the appointment and election of a district judge and district attorney in said Eighty-second Judicial District and to make all process issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of the courts in the several districts as herein fixed; to validate such process, and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Thirty-eighth Judicial District of the State of Texas shall be composed of the Counties of Kendall, Zavala, Uvalde, Medina, Banderas, Real, and Kerr and the district courts therein shall be holden as follows: In the County of Kendall on the first Mondays in March and September of each year, and may continue in session three weeks; in the County of Zavala on the third Monday after the first Mondays in March and September, and may continue in session three weeks; in the County of Uvalde on the sixth Monday after the first Monday in March and September

and may continue in session for four weeks; in the County of Medina on the tenth Monday after the first Monday in March and September and may continue in session for four weeks; in the County of Bandera on the fourteenth Monday after the first Monday in March and September, and may continue in session three weeks; in the County of Real on the seventeenth Monday after the first Monday in March and September and may continue in session for two weeks; in the County of Kerr on the nineteenth Monday after the first Monday in March and September, and may continue in session until the business is disposed of.

Sec. 2. The Fifty-first Judicial District of this State shall be composed of the Counties of Tom Green, Irion, Schleicher, Coke and Sterling, and the district courts shall be holden therein as follows: In the County of Tom Green on the first Monday in January and may continue in session ten weeks, on the eighteenth Monday after the first Monday in January, and may continue in session until the last Saturday in August, and on the first Monday in September, and may continue in session eight weeks; in the County of Irion on the tenth Monday after the first Monday in January, and the eighth Monday after the first Monday in September, and may continue in session two weeks; in the County of Schleicher on the twelfth Monday after the first Monday in January and the tenth Monday after the first Monday in September, and may continue in session two weeks; in the County of Coke on the fourteenth Monday after the first Monday in January, and the twelfth Monday after the first Monday in September, and may continue in session two weeks; in the County of Sterling on the sixteenth Monday after the first Monday in January and the fourteenth Monday after the first Monday in September, and may continue in session two weeks.

Sec. 3. The Sixty-third Judicial District of this State shall be composed of the Counties of Jeff Davis, Presidio, Brewster, Terrell, Val Verde, Kinney, and Maverick and the district courts shall be holden therein as follows: In the County of Jeff Davis on the Second Monday in January and July, and may continue in session two weeks; in the County of Presidio on

the third Monday after the first Monday in January and July and may continue in session three weeks; in the County of Brewster on the sixth Monday after the first Monday in January and July, and may continue in session for three weeks; in the County of Terrell on the ninth Monday after the first Monday in January and July, and may continue in session two weeks; in the County of Kinney on the eleventh Monday after the first Monday in January and July, and may continue in session two weeks; in the County of Maverick on the Thirteenth Monday after the first Monday in January and July, and may continue in session three weeks; in the County of Val Verde on the sixteenth Monday after the first Monday in January and July and may continue in session until the business is disposed of.

Sec. 4. The Seventieth Judicial District of the State of Texas shall be composed of the Counties of Midland, Ector, Winkler, Andrews, Martin, Glasscock, Reeves, Ward, and the unorganized Counties of Crane and Loving, and the district courts shall be holden therein as follows: In the County of Midland on the first Monday in February and September and may continue in session four weeks; in the County of Ector on the fourth Monday after the first Monday in February and September, and may continue in session two weeks; in the County of Winkler on the sixth Monday after the first Monday in February and September, and may continue in session one week; in the County of Andrews on the seventh Monday after the first Monday in February and September, and may continue in session one week; in the County of Martin on the eighth Monday after the first Monday in February and September, and may continue in session two weeks; in the County of Glasscock on the tenth Monday after the first Monday in February and September, and may continue in session one week; in the County of Reeves on the eleventh Monday after the first Monday in February and September, and may continue in session six weeks; in the County of Ward on the first Monday in January and on the seventeenth Monday after the first Monday in February, and may continue in session three weeks.

The unorganized County of Loving

In Memory and Honor
of
Dr. John C. Pickering

SIMPLE RESOLUTION NO. 98.

Whereas, The Senate of Texas has heard with regret of the death of Dr. John C. Pickering, a resident of Zavala, Angelina County, Texas, the last survivor of the Battle of San Jacinto, and who for one hundred years and sixteen days had served the people of the South as citizen and soldier, and

Whereas, Eighty-one years ago he was one of the gallant band who, under General Houston, at the Battle of San Jacinto, made it possible for Texas to be a free and independent Republic, and after said battle assisted Dr. Anson Jones in caring for the wounded soldiers; therefore, be it

Resolved, That the Senate of Texas hereby honor this distinguished citizen by setting aside a page in the Journal, upon which shall be inscribed his name, his achievements and the date of his birth and death; and be it further

Resolved, That when we adjourn today we do so in his memory.

STRICKLAND.

The resolution was read and adopted.

is hereby attached to Reeves County for judicial and all other purposes. and the unorganized County of Crane is hereby attached to Ector County for judicial and all other purposes.

Sec. 5. That the Eighty-second Judicial District of the State of Texas is hereby created and shall be composed of the Counties of Edwards, Crockett, Sutton, Reagan, Upton, and Pecos, and the district courts shall be holden therein as follows: In the County of Edwards on the last Monday in January and August, and may continue in session four weeks; in the County of Sutton on the third Monday after the first Monday in February and September, and may continue in session three weeks; in the County of Crockett on the sixth Monday after the first Monday in February and September, and may continue in session three weeks; in the County of Reagan on the ninth Monday after the first Monday in February and September and may continue in session two weeks; in the County of Upton on the eleventh Monday after the first Monday in February and September and may continue in session two weeks; in the County of Pecos on the thirteenth Monday after the first Monday in February and September; and may continue in session until the business is disposed of.

Sec. 6. The Governor shall, immediately after the passage of this Act, appoint a suitable person qualified under the Constitution of the State of Texas, as a judge of the Eighty-second Judicial District as herein constituted, who shall hold such office until the next general election, and until his successor shall have been elected and qualified.

Sec. 7. The Governor shall, immediately after the passage of this Act, appoint a suitable person qualified under the Constitution and laws of the State of Texas, as district attorney of the Eighty-second Judicial District as herein constituted, who shall hold such office until the next general election, and until his successor shall have been elected and qualified; the district attorney of said district shall thereafter be elected as provided by the Constitution and laws of the State of Texas for the election of the district attorneys.

Sec. 8. That all process issuing out of the district courts of any of the counties named in this Act or issued

or served before this Act takes effect, including recognizances and bonds, returnable to the district court of any such respective counties, shall be considered as returnable to such respective courts in accordance with the terms and time of holding same as prescribed in and fixed by this Act; and all such process is hereby legalized. And all grand and petit juries drawn and selected under existing laws for any of the counties of said districts shall be considered lawfully drawn and selected for the next term of the respective district courts held after this Act takes effect, and all such process is hereby legalized and validated.

Sec. 9. That if any court in any county of said judicial district shall be in session at the time this Act takes effect, such court affected hereby shall continue in session until the term thereof shall expire under the provisions of existing laws; thereafter the court of said county shall conform to the requirements of this Act.

Sec. 10. That all laws and parts of laws in conflict with the provisions of this Act shall be and the same are hereby repealed.

Sec. 11. Whereas, the rapid settlement of the counties mentioned in this Act, the increase of litigation, the crowded condition of the dockets of such counties, the necessity for the creation of the new district, and consequent necessity for readjustment of the times of holding court in all such counties, creates an imperative public necessity and an emergency exists requiring the suspension of the constitutional rule requiring bills to be read on three several days; therefore, said constitutional rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

THIRTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,

Friday, February 23, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names: